
COMMERCIAL FISHING ADVISORY BOARD GRANT APPLICATION

2026

General Instructions

PLEASE READ THE VMRC COMMERCIAL FISHING ADVISORY BOARD MANUAL BEFORE PROCEEDING TO THE APPLICATION

- Submit one (1) application with required attachments
- Application must be emailed to alicia.nelson@mrc.virginia.gov

REQUIRED ATTACHMENTS

1. Cover Letter: A brief letter explaining the overview of the project and responsible parties.
2. Application: One (1) application with signature from authorized individual
3. Detailed Cost Estimate: A detailed cost estimate for the project elements, may include the proposed vendor and formal bids.

FOR OFFICE USE ONLY

APPLICATION NUMBER	DATE RECEIVED
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Section I. Applicant Information

Applicant: Primary: The City of Virginia Beach Development Authority	
Federal Employer ID No:	Co-Applicant:
Project Manager: Paul Bayer	Project Manager Title: Business Development Manager
Mailing Address:	4525 Main Street, Suite 700
City/Zip/State:	Virginia Beach, VA 23462
Telephone:	O: (757) 385-6498 C: (757) 334-2403
E-mail:	PBayer@vbgov.com

Section II. Project Summary

Project Title:	Virginia Beach Working Waterfront Revitalization Project
Project Type:	Working Waterfront Infrastructure
Brief Project Summary or abstract (additional documents may be attached for further detail): For decades, Spots Fisheries served as the primary wholesale seafood buyer for Virginia Beach's commercial ocean fishing fleet, purchasing approximately 5 million pounds of Virginia-caught seafood annually from more than 50 harvesters. Its closure about 2.5 years ago left a critical gap in the region's seafood infrastructure, forcing fishermen to independently source ice, transport seafood, and coordinate sales, increasing costs and reducing profitability. At the same time, opportunities to expand Virginia fisheries such as Spanish mackerel and Virginia shrimp continue to grow but cannot be fully realized without adequate seafood handling and cold storage infrastructure. Still Kick'n Seafood proposes to lease and revitalize a portion of Fisherman's Wharf Marina by establishing essential seafood infrastructure, including commercial ice production, refrigerated storage, and seafood handling facilities. The project will strengthen Virginia's seafood supply chain, reduce operating costs for producers, improve product quality, attract seafood buyers, preserve one of Virginia Beach's last remaining available working waterfronts, and retain the economic value of Virginia-caught seafood within the Commonwealth. The total project cost is \$106,000. The City of Virginia Beach Development Authority with support from the Marine Products Board is requesting \$25,000 toward the project, which will be matched by a \$25,000 commitment from The City of Virginia Beach Development Authority. The City of Virginia Beach Development Authority has also submitted an AFID Infrastructure Grant application requesting up to \$50,000. Together, these investments will restore critical seafood infrastructure through a coordinated state, local, and private partnership that supports the long-term viability of Virginia Beach's commercial fishing industry.	
Grant Amount Requested:	\$25,000
Matching Funds Amount:	25,000 Virginia Beach + up to 50,000 VDACS (still in review) 6,000 cash match by Still Kick'n
Project Cost (total):	\$106,000

Section 3. Projected Outcomes

Itemized List of Project Deliverables (may be included as an attachment):

To purchase and install one 40-foot insulated storage container or two 20-foot insulated storage containers, one ice machine with auger system and to purchase a forklift.

MACHINERY AND TOOLS (MANUFACTURING) \$106,000

- one 40-foot insulated storage container or 2 20-foot insulated containers and shipping	\$6,000
- Ice Machine and auger system - 5 ton machine	\$50,000
- Fork Lift	\$50,000

Describe how the Code of VA section § 28.2-208 (listed in attachment A) describing use of the Fund applies to your program.

Section § 28.2-208 of the Code of Virginia authorizes the Marine Fishing Improvement Fund to support activities that improve Virginia's marine fisheries, promote seafood products, provide education and industry development, and strengthen the Commonwealth's commercial seafood industry. The Virginia Marine Products Board's FY2027 Strategic Plan builds upon these statutory objectives by prioritizing the restoration of working waterfronts and seafood infrastructure as a critical need for the long-term sustainability of Virginia's seafood economy.

The closure of seafood buying and handling facilities has reduced access to essential infrastructure for commercial watermen, increased operating costs, and limited opportunities for seafood businesses to grow. As a result, the Board identified working waterfront preservation and infrastructure investment as a strategic priority to maintain Virginia's ability to harvest, land, process, and market Virginia seafood.

This project directly advances that priority by restoring essential seafood handling infrastructure at Fisherman's Wharf Marina, including commercial ice production and refrigerated storage. The investment will strengthen Virginia's commercial seafood supply chain, improve seafood quality and market access, support commercial harvesters and seafood businesses, and preserve one of Virginia Beach's remaining working waterfronts. By investing in infrastructure that supports the landing and marketing of Virginia seafood, this project fulfills the intended purpose of the Marine Fishing Improvement Fund while implementing the Marine Products Board's FY2027 strategic objective of restoring and strengthening Virginia's working waterfronts.

Section IV. Budget

Budget Summary: Provide a budget summary of total cost by the below budget categories. A detailed budget is also required as an attachment to this application.

Category	Description	Amount
	storage container	\$6,000
	Ice machine with auger	\$50,000
	Fork Lift	\$50,000
Total:		\$106,000

Description of other fund sources and match funding:

The total project cost is \$106,000. The Virginia Marine Products Board is requesting \$25,000 toward the project, which will be matched by a \$25,000 commitment from the Virginia Beach Economic Development Authority, \$6,000 or higher in cash from Still Kick'n Seafood. The City of Virginia Beach Development Authority has also submitted an AFID Infrastructure Grant application requesting up to \$50,000. Together, these investments will restore critical seafood infrastructure through a coordinated state, local, and private partnership that supports the long-term viability of Virginia Beach's commercial fishing industry.

The applicant is requesting a reimbursement based grant with payment to The City of Virginia Beach Development Authority for approved costs. Due to the timing and coordination of multiple funding sources supporting this project, the applicant's request authorization to reimburse eligible project expenses incurred up to 90 days prior to the approval date of this grant. No funding is requested by VMPB or VDACS.

ATTACHMENT A

§ 28.2-208. Marine Fishing Improvement Fund continued.

There is hereby continued a special, nonreverting fund in the state treasury to be known as the Marine Fishing Improvement Fund, hereinafter referred to as the Fund. The Fund shall consist of (i) that portion of the nonresident harvester's license fees which have not been allocated to the Virginia Marine Products Fund as provided for in § 28.2-227, (ii) fees collected from the registration of commercial fishermen under § 28.2-241, and (iii) fees collected from the sale of seafood landing licenses under § 28.2-228.1. The Fund shall be administered by the Commission and used solely for (i) managing and improving marine fisheries, (ii) seafood product promotion and development services, (iii) mandatory reporting and stock assessment, (iv) education of commercial fishermen, (v) conservation and management strategies identified by the General Assembly and the Commission, (vi) public information pamphlets and summaries of rules issued with gear licenses, and (vii) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities.

1991, c. 411, § 28.1-47.2; 1992, c. 836; 1993, c. 10; 1994, c. 541; 1996, c. 214.

APPLICANT SIGNATURE

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and to the best of my knowledge and belief, this information is true, complete, and accurate. I further certify that I possess the authority (see grant guidelines Section II, 3.2) to sign on behalf of the Applicant. I also certify that the applicant's governing body is aware of and has authorized the project manager as the official representative of the applicant to act in connection with this application and subsequent project, as well as to provide additional information as may be required. By my signature below, the applicant agrees to comply with all applicable federal, state, and local laws in conjunction with this proposal and the resulting project if approved.

Print/Type Name: Lisa M. Murphy Title: Chair

The Virginia Beach Development
Bj. Lisa M. Murphy Authority

Signature: _____ Date: 8/25/26

4 September 2026

Dear Sirs,

We are pleased to submit our grant application, "Diamondback Terrapin Habitat Mapping" for funding consideration under the Commercial Fishing Advisory Board Grants Program.

The proposed project will address the need for information on Diamondback terrapin primary habitat in coastal Virginia. This work will update a previously developed terrapin habitat suitability model using new terrapin occurrence data from the Virginia Department of Wildlife Resources' Diamondback Dash surveys and local knowledge provided by commercial watermen who have offered to share information on terrapin locations. We will also update the model's environmental factors that are predictors of terrapin occurrence, including key habitats such as marshes. The model output will be integrated into a visualization tool that can be used to identify hot spots of terrapin habitat for use in management decisions.

Responsible parties and their roles in this proposed project are as follows:

Dr. Donna Bilkovic (VIMS): project manager with responsibility for project oversight

Dr. Robert Isdell (VIMS): Terrapin habitat suitability model development

Noah Hill (VIMS): Data compilation; GIS/spatial layer development and analyses

Jess Hendricks (VIMS): Lead developer of visualization tool

Dr. Randy Chambers (W&M): Terrapin expert and project advisor on all aspects of the proposed work; no project funds requested

Dr. Kirk Havens (VIMS): project advisor; no project funds requested

Thank you for your consideration. We look forward to your response.

Sincerely yours,

Donna Marie Bilkovic

Dr. Donna Marie Bilkovic
Assistant Director, Center for Coastal Resources
Management
Research Professor of Marine Science
Virginia Institute of Marine Science
Batten School of Coastal & Marine Sciences
William & Mary
E: donnab@vims.edu

COMMERCIAL FISHING ADVISORY BOARD GRANT APPLICATION

2026

General Instructions

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- Application must be emailed to alicia.nelson@mrc.virginia.gov

REQUIRED ATTACHMENTS

1. Cover Letter: A brief letter explaining the overview of the project and responsible parties.
2. Application: One (1) application with signature from authorized individual
3. Detailed Cost Estimate: A detailed cost estimate for the project elements, may include the proposed vendor and formal bids.

FOR OFFICE USE ONLY

APPLICATION NUMBER	DATE RECEIVED
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Section I. Applicant Information

Applicant: Center for Coastal Resources Management, Virginia Institute of Marine Science	
Federal Employer ID No: 54-6001802	
Project Manager: Donna Bilkovic	Project Manager Title: Assistant Director, CCRM/VIMS, Professor, William & Mary Batten School of Coastal & Marine Sciences
Mailing Address: PO Box 1346, Rt 1208 Greate Rd	
City/Zip/State: Gloucester Point, VA 23062	
Telephone: 804-684-7331	
E-mail: donnab@vims.edu	

Section II. Project Summary

Project Title: Diamondback Terrapin Habitat Mapping
Project Type:
Brief Project Summary or abstract (additional documents may be attached for further detail): Data collected through the Virginia Department of Wildlife Resources' Diamondback Dash surveys provide an opportunity to update the existing diamondback terrapin occupancy model and expand its application across Virginia's coastal region. CCRM will further consult with commercial watermen who have offered to provide their knowledge of terrapin locations. CCRM personnel will compile and quality-control the survey data, develop updated environmental and crabbing-pressure covariates, and revise the existing single-season occupancy modeling workflow using Bayesian latent indicator scale selection to identify important spatial scales. Environmental variables will be evaluated at multiple spatial scales to determine the scales most strongly associated with terrapin occupancy. Model results will be synthesized and translated into statewide spatial layers showing predicted terrapin occupancy and important habitat areas. Final products will be incorporated into a visualization tool to support conservation planning, habitat management, and the identification of hot spots of terrapin habitat for mitigation opportunities. <u>Detailed Activities</u> · GIS data development. Develop and process spatial layers for percent marsh, agricultural land, derelict crab pots, shoreline armoring, seagrass, and active crabbing pressure. Covariates will be summarized at 20 candidate spatial distances ranging from 250 to 10,000 meters. · Occupancy modeling. Integrate Diamondback Dash survey data and watermen knowledge, update and document the model code, run candidate models, evaluate model performance, and synthesize model results. · Spatial application. Translate model predictions into statewide spatial layers depicting predicted occupancy, habitat importance, and associated uncertainty. · Visualization tool development. Develop visualization tool and prepare, document, and incorporate the final model products into viewer. · Project coordination and contingency. Support meetings, data coordination, troubleshooting, quality assurance, documentation, and other project-management needs.

Grant Amount Requested: \$81,600
Matching Funds Amount:
Project Cost (total): \$81,600

Section 3. Projected Outcomes

Itemized List of Project Deliverables (may be included as an attachment):

Final deliverables will include:

1. An updated and documented model code
2. A summary of modeling results
3. Statewide terrapin occupancy layers with associated metadata
4. Integration of the final products into visualization tool.

Describe how the Code of VA section § 28.2-208 (listed in attachment A) describing use of the Fund applies to your program.

The project addresses four Section § 28.2-208 priorities:

(i) managing and improving marine fisheries – the development of terrapin habitat maps can be used to inform the management of the recreational blue crab fishery

(iv) education of commercial fishermen – New models detailing important terrapin habitat can be used to inform crabbers about potential conflict areas so that they can avoid interactions.

(v) conservation and management strategies identified by the General Assembly and the Commission. – Terrapin conservation is a State-identified need. Diamondback terrapins are a Tier 2A Species of Greatest Conservation Need in Virginia, and legislation introduced during the 2026 General Assembly session sought to reduce terrapin mortality from recreational crab pots.

(vii) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities. – Commercial watermen have offered to provide their knowledge of terrapin locations in support of this effort.

Section IV. Budget

Budget Summary: Provide a budget summary of total cost by the below budget categories. A detailed budget is also required as an attachment to this application.

Category	Description	Amount
Personnel	Staff time & Fringe	\$65,280
F&A	Facilities & Administrative Costs	\$16,320
Total:		\$81,600

Description of other fund sources and match funding:

APPLICANT SIGNATURE

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and to the best of my knowledge and belief, this information is true, complete, and accurate. I further certify that I possess the authority (see grant guidelines Section II, 3.2) to sign on behalf of the Applicant. I also certify that the applicant's governing body is aware of and has authorized the project manager as the official representative of the applicant to act in connection with this application and subsequent project, as well as to provide additional information as may be required. By my signature below, the applicant agrees to comply with all applicable federal, state, and local laws in conjunction with this proposal and the resulting project if approved.

Print/Type Name: Madeline Eaton Title: Interim Director of Sponsored Programs

Signature: Madeline Eaton Date: 09/08/2026

ATTACHMENT A

§ 28.2-208. Marine Fishing Improvement Fund continued.

There is hereby continued a special, nonreverting fund in the state treasury to be known as the Marine Fishing Improvement Fund, hereinafter referred to as the Fund. The Fund shall consist of (i) that portion of the nonresident harvester's license fees which have not been allocated to the Virginia Marine Products Fund as provided for in § 28.2-227, (ii) fees collected from the registration of commercial fishermen under § 28.2-241, and (iii) fees collected from the sale of seafood landing licenses under § 28.2-228.1. The Fund shall be administered by the Commission and used solely for (i) managing and improving marine fisheries, (ii) seafood product promotion and development services, (iii) mandatory reporting and stock assessment, (iv) education of commercial fishermen, (v) conservation and management strategies identified by the General Assembly and the Commission, (vi) public information pamphlets and summaries of rules issued with gear licenses, and (vii) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities.

1991, c. 411, § 28.1-47.2; 1992, c. 836; 1993, c. 10; 1994, c. 541; 1996, c. 214.

Title: Terrapin Habitat Study, VMRC

Oct 2026-Oct 2027

		Oct 2026-Oct 2027		
A.	Personnel	Agency	VIMS	Total
	Personnel, salaried	\$37,952	\$0	\$37,952
	Personnel, hourly	\$11,284	\$0	\$11,284
	Fringe, 40% salaries;	\$15,181	\$0	\$15,181
	7.65% hourly	\$863	\$0	\$863
	Total Personnel	\$65,280	\$0	\$65,280
B.	Communications/Printing	\$0	\$0	\$0
C.	Supplies	\$0	\$0	\$0
D.	Consultant/Skilled Services	\$0	\$0	\$0
E.	Travel	\$0	\$0	\$0
F.	Subaward Agreements	\$0	\$0	\$0
			\$0	\$0
			\$0	\$0
G.	Tuition	\$0	\$0	\$0
H.	Vessels	\$0	\$0	\$0
	VIMS			
I.	Communications/Publication Center	\$0	\$0	\$0
J.	Nutrient Analysis	\$0	\$0	\$0
K.	Equipment	\$0	\$0	\$0
	SUBTOTAL: Direct Costs	\$65,280	\$0	\$65,280
L.	Facilities & Administrative Costs	\$16,320	\$0	\$16,320
	TOTAL	\$81,600	\$0	\$81,600

Terrapin Habitat Study

BUDGET JUSTIFICATION

SALARY \$49,236

Donna Bilkovic (0.5 month), Robert Isdell (1.5 month), Noah Tait (2.8 month), and Jessica Hendricks (2.0 month). Personnel salary to compile and quality-control the survey data, develop updated environmental and crabbing-pressure covariates, and revise the existing single-season occupancy modeling workflow and develop a dashboard to display data.

FRINGE \$16,044

Fringe benefits are calculated based on the Virginia Institute of Marine Science's negotiated rate of 40% of salaries and wages for full time employees (\$15,181) and 7.65% for hourly employees (Hendricks - \$863). Actual fringe costs vary by individual employee based on salary level, length of service, and type of coverage.

Salaried Employees:	Retirement	11.15%
	FICA	7.65%
	Group Life	1.00%
	Long Term Disability	2.00%
	Deferred Compensation	1.00%
	<u>Health Insurance</u>	<u>17.20%</u>
	Total, Fringe Cost	40.00%
Hourly Employee:	Social Security	6.2%
	<u>FICA</u>	<u>1.45%</u>
	Total, Fringe Cost	7.65%

DIRECT COSTS \$65,280

FACILITIES & ADMINISTRATIVE COSTS \$16,320

F&A calculated on MTDC (modified total direct cost): personnel, supplies, travel, and first \$25,000 of each subcontract, etc.; excludes service centers, tuition and equipment. The current federally negotiated F&A rate is 52.4%.

This proposal uses a 25% F&A rate based on VMRC guidance.

TOTAL \$81,600

September 4, 2026

Dear Commissioner Grist,

We are pleased to submit our grant application, "Targeted Derelict Crab Pot Removal in Important Diamondback Terrapin Habitat" for funding consideration under the Commercial Fishing Advisory Board Grants Program.

The proposed project will address impacts to Diamondback terrapin in coastal Virginia waterways using the knowledge and expertise of commercial watermen. In coordination with VMRC, commercial watermen will be hired during the blue crab off-season to locate and retrieve lost or abandoned "ghost" crab pots using side-scan sonar technology. This effort will be focused on hotspot areas of recreational and commercial crabbing that overlap with mapped terrapin habitat. This collaboration between commercial watermen, VMRC, and VIMS will help reduce mortality of Diamondback terrapin associated with entrapment in lost or abandoned crab pots.

Responsible parties and their roles in this proposed project are as follows:

Dr. Kirk Havens (VIMS): Project manager with responsibility for project oversight; no funds requested.

Dr. Donna Bilkovic (VIMS): Project manager with responsibility for targeting derelict pot removals with terrapin habitat zones; no funds requested.

David Stanhope (VIMS): Management of training and coordination with commercial watermen.

Kory Angstadt (VIMS): Training and coordination with commercial watermen, Survey123 coordination and Q&A.

Noah Tait (VIMS): Data compilation; data incorporation into the National Derelict TRAP Program dashboard [National TRAP Program](#), and data analyses and Q&A.

Jess Hendricks (VIMS): Lead developer of visualization tool.

Thank you for consideration and we look forward to your response.

Sincerely yours,



Dr. Kirk J. Havens
Director, Center for Coastal Resources Management
Research Professor of Marine Science
Virginia Institute of Marine Science
William & Mary Batten School of Coastal & Marine Sciences

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2026

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APPLICATION NUMBER	DATE RECEIVED
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Section I. Applicant Information

Applicant: Center for Coastal Resources Management, Virginia Institute of Marine Science	
Federal Employer ID No: 54-6001802	
Project Manager: Kirk Havens	Project Manager Title: Director, CCRM/VIMS, Professor, William & Mary Batten School of Coastal & Marine Sciences
Mailing Address: PO Box 1346, Rt 1208 Greate Rd	
City/Zip/State: Gloucester Point, VA 23062	
Telephone: 804-684-7386	
E-mail: kirk@vims.edu	

Section II. Project Summary

Project Title: Targeted Derelict Crab Pot Removal in Important Terrapin Habitat
Project Type:
Brief Project Summary or abstract (additional documents may be attached for further detail): Derelict crab pots accumulate every season at a rate of approximately 12-20% of all pots deployed. Terrapin and other species of conservation concern have been found entrapped in recovered pots. Actively working crabbers can release live animals; derelict pots leave them no such chance. When funding is available, the VIMS's Virginia's Marine Debris Removal Program, in coordination with VMRC, has employed commercial watermen during the off-season to locate and retrieve lost or abandoned "ghost" crab pots from the Virginia portion of the Chesapeake Bay and its tributaries using side-scan sonar technology. This effort would employ commercial watermen to conduct targeted removals of derelict pots within hotspot areas of recreational or commercial crabbing that overlap with mapped terrapin habitat. In this way, this manageable mortality risk for terrapin can be reduced. Data will be compiled, managed and visualized by CCRM personnel.
Grant Amount Requested: \$144,486
Matching Funds Amount: \$0
Project Cost (total): \$144,486

Section 3. Projected Outcomes

Itemized List of Project Deliverables (may be included as an attachment):

1. Employment of commercial watermen to conduct removals.
2. Location, photographs, target species, bycatch species, pot type & condition, of all pots removed will be recorded.
3. The location of removed pots will be added to the National Derelict TRAP Program database and dashboard ([National TRAP Program](#)) for stakeholder engagement and visualization.

Describe how the Code of VA section § 28.2-208 (listed in attachment A) describing use of the Fund applies to your program.

The project addresses four Section § 28.2-208 priorities:

(i) managing and improving marine fisheries. Removal of lost or abandoned derelict traps (ghost pots) reduces impacts on blue crab harvest and commercially important finfish. Watermen conducting removals have documented over 40 species captured in ghost pots including black sea bass, striped bass, white perch, croaker, red drum, black drum, flounder, and spot. Watermen have also documented over 100 diamondback terrapin in ghost pots. Removing ghost pots from terrapin hotspots will not only benefit terrapin but other commercially and recreationally important fish.

(v) conservation and management strategies identified by the General Assembly and the Commission. Removal of ghost blue crab pots increases blue crab harvest for commercial watermen as well as reduces unwanted mortality of bycatch species such as commercially important finfish and species of concern such as the diamond back terrapin. The project directly supports VA House Joint Resolution 650 (Abandoned & Discarded Crab Traps) which directs the Center for Coastal Resources Management at VIMS to study the issue of ghost pots in Virginia's waters.

(vii) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities. The project will hire 10 commercial watermen to conduct the removals.

Section IV. Budget

Budget Summary: Provide a budget summary of total cost by the below budget categories. A detailed budget is also required as an attachment to this application.

Category	Description	Amount
Personnel	Staff time & fringe	\$34,439
Supplies	Sonar units for watermen	\$15,000
Consultant/Skilled Services	10 watermen, 15 days @ \$441/day	\$66,150
F&A	Facilities & Administrative Costs	\$28,897
Total:		\$144,486

Description of other fund sources and match funding:

APPLICANT SIGNATURE

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Print/Type Name: Madeline Eaton Title: Interim Director of Sponsored Programs

Signature: Madeline Eaton Date: 09/08/2026

ATTACHMENT A

§ 28.2-208. Marine Fishing Improvement Fund continued.

There is hereby continued a special, nonreverting fund in the state treasury to be known as the Marine Fishing Improvement Fund, hereinafter referred to as the Fund. The Fund shall consist of (i) that portion of the nonresident harvester's license fees which have not been allocated to the Virginia Marine Products Fund as provided for in § 28.2-227, (ii) fees collected from the registration of commercial fishermen under § 28.2-241, and (iii) fees collected from the sale of seafood landing licenses under § 28.2-228.1. The Fund shall be administered by the Commission and used solely for (i) managing and improving marine fisheries, (ii) seafood product promotion and development services, (iii) mandatory reporting and stock assessment, (iv) education of commercial fishermen, (v) conservation and management strategies identified by the General Assembly and the Commission, (vi) public information pamphlets and summaries of rules issued with gear licenses, and (vii) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities.

1991, c. 411, § 28.1-47.2; 1992, c. 836; 1993, c. 10; 1994, c. 541; 1996, c. 214.

Title: Derelict Trap Removal from Terrapin Habitat, VMRC

Oct 2026-Oct 2027

		Year 1		
		Agency	VIMS	Total
A.	Personnel			
	Personnel, salaried	\$20,261	\$0	\$20,261
	Personnel, hourly	\$5,642	\$0	\$5,642
	Fringe, 40% salaries;	\$8,104	\$0	\$8,104
	7.65% hourly	\$432	\$0	\$432
	Total Personnel	\$34,439	\$0	\$34,439
B.	Communications/Printing	\$0	\$0	\$0
C.	Supplies	\$15,000	\$0	\$15,000
	<i>sonar units - \$1,500 each; 10 units</i>			
D.	Consultant/Skilled Services	\$66,150	\$0	\$66,150
	<i>10 Watermen; 15 days at \$441/day</i>			
E.	Travel	\$0	\$0	\$0
F.	Subaward Agreements	\$0	\$0	\$0
			\$0	\$0
			\$0	\$0
G.	Tuition	\$0	\$0	\$0
H.	Vessels	\$0	\$0	\$0
I.	VIMS Communications/Publication Center	\$0	\$0	\$0
J.	Nutrient Analysis	\$0	\$0	\$0
K.	Equipment	\$0	\$0	\$0
	SUBTOTAL: Direct Costs	\$115,589	\$0	\$115,589
L.	Facilities & Administrative Costs (25%)	\$28,897	\$0	\$28,897
	TOTAL	\$144,486	\$0	\$144,486

Targeted Derelict Crab Trap Removal in Important Terrapin Habitat

BUDGET JUSTIFICATION

SALARY \$25,903

David Stanhope (1.0 month), Kory Angstadt (1.0 month), Noah Tait (1.05 month), Jessica Hendricks (1.0 month). CCRM personnel salary to train watermen on data collection and sonar use, manage data compilation and synthesis and develop dashboard to display data.

FRINGE \$8,536

Fringe benefits are calculated based on the Virginia Institute of Marine Science's negotiated rate of 40% of salaries and wages for full time employees (\$8,104) and 7.65% for hourly employees (Hendricks - \$432). Actual fringe costs vary by individual employee based on salary level, length of service, and type of coverage.

Salaried Employees:	Retirement	11.15%
	FICA	7.65%
	Group Life	1.00%
	Long Term Disability	2.00%
	Deferred Compensation	1.00%
	<u>Health Insurance</u>	<u>17.20%</u>
	Total, Fringe Cost	40.00%
Hourly Employee:	Social Security	6.2%
	<u>FICA</u>	<u>1.45%</u>
	Total, Fringe Cost	7.65%

SUPPLIES \$15,000

10 sonar units for use by watermen in removals - \$1500/unit

CONSULTANT/SKILLED SERVICES \$66,150

10 watermen at \$441/day (the current rate used in the TRAP program) for 15 days.

DIRECT COSTS \$115,589

FACILITIES & ADMINISTRATIVE COSTS \$28,897

F&A calculated on MTDC (modified total direct cost): personnel, supplies, travel, and first \$25,000 of each subcontract, etc.; excludes service centers, tuition and equipment. The current federally negotiated F&A rate is 52.4%. Rate adjusted to VMRC/VIMS rate of 25%.

TOTAL \$144,486



September 17, 2026

Commissioner Joseph Grist
Virginia Marine Resources Commission
380 Fenwick Road
Hampton, VA 23651

Dear Commissioner Grist,

On behalf of Friends of the Rappahannock (FOR), I am pleased to offer strong support for two funding requests related to diamondback terrapin research and targeted derelict crab pot removal. The following applications were presented to the Virginia Commercial Fishing Advisory Board at their meeting on September 17th, 2026.

Diamondback Terrapin Habitat Mapping, Donna Bilkovic, William & Mary Batten School of Coastal & Marine Sciences, \$81,600.

Targeted Derelict Crab Pot Removal in Important Terrapin Habitat, Kirk Havens, William & Mary Batten School of Coastal & Marine Sciences, \$144,486.

These funding requests will allow researchers to collect updated data and produce new maps on the locations of important diamondback terrapin habitat hotspots and then conduct targeted derelict crab pot removal with the assistance of watermen.

We strongly support these requests and hope it is the will of the Commission to do so as well.

Sincerely,

Brent Hunsinger, Advocacy & Coastal Programs Director



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

September 18, 2026

Joseph Grist
Commissioner
Virginia Marine Resources Commission
380 Fenwick Road, Building 96
Fort Monroe, VA 23651

RE: Comments on Commercial Fishing Advisory Board Funding
Recommendations

On behalf of the Chesapeake Bay Foundation (CBF), I wish to provide the following comments on the Virginia Marine Resources Commission's (VMRC) consideration of funding requests from the Commercial Fishing Advisory Board. CBF would like to express its support for funding both the Diamondback Terrapin Habitat Mapping and the Targeted Derelict Crab Pot Removal in Important Terrapin Habitat projects proposed by William & Mary's Batten School of Coastal & Marine Sciences (VIMS).

Diamondback Terrapins are listed in Virginia as a species of "Very High Conservation Need" and their populations have faced a decline of nearly 75% over the past 50 years. This decline has generated increased interest in conservation opportunities here in the Commonwealth such as the rulemaking petition that came before the Commission in 2025 and the introduction of HB 1308 during the 2026 Virginia Legislative Session.

The proposed projects would support additional data collection that VIMS has previously identified including the need for additional spatial information on terrapin habitat and crabbing pressure in a single framework that will allow managers to identify areas where terrapins are most likely to encounter threats.

Equally important is the state's support for derelict crab pot removal. Work by VIMS has indicated that the number of ghost crab pots tended to correspond to the number of active pots in a given area. VIMS has previously estimated that over 145,000 ghost pots exist in the Bay, many found in shallow waters preferred by terrapins.

Thank you for your consideration of these comments. We appreciate the Commission's efforts to thoughtfully manage the Commonwealth's marine resources including the impacts on non-target species.

Sincerely,

A handwritten signature in black ink that reads "Chris Moore". The signature is written in a cursive, slightly slanted style.

Chris Moore
Virginia Executive Director
Chesapeake Bay Foundation



Virginia Marine Resources Commission
c/o Commissioner Joseph D. Grist
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651
joseph.grist@mrc.virginia.gov

September 21, 2026

**Re: Sept. 22, 2026, Meeting Agenda Item #11:
Funding for “Diamondback Terrapin Habitat Mapping” and
“Targeted Derelict Crab Pot Removal in Important Terrapin Habitat”**

Dear Commissioner Grist and the Board of Commissioners:

On behalf of the Center for Biological Diversity (“the Center”), we write in support of the Virginia Marine Resources Commission (“the Commission”) approving funding for two projects essential for the protection of imperiled diamondback terrapins. The proposed projects are a step in the right direction toward understanding precisely where and how crab pots harm and kill diamondback terrapins, and toward making Virginia’s coastal waters safer for the species to survive and recover.

I. Crab Pots Are So Destructive to Diamondback Terrapins that the Federal Government Identified Crab Pots as *the* Reason Terrapins May Warrant Endangered Species Act Protections.

The U.S. Fish and Wildlife Service (“FWS”) made a positive 90-day finding on the Center’s petition to list the diamondback terrapin under the federal Endangered Species Act (“ESA”). See **Exhibit 1** (attached 90-day finding signed May 8, 2026).¹ FWS found that the Center’s petition “presents substantial scientific or commercial information indicating that listing the diamondback terrapin (*Malaclemys terrapin*) as a threatened or endangered species may be warranted.” *Id.* at 9. FWS found that ESA listing may be warranted for the exact reason that the Commission needs to act: there is “credible information that drowning in active and abandoned crab pots is occurring within the species range and within locations where the species is likely to occur.” *Id.* at 6 (noting that crab pots “are now used by recreational and commercial crabbers in every state where the diamondback terrapin occurs except for Massachusetts, Rhode Island and Connecticut where according to the petition, they are prohibited”). The 90-day finding from FWS highlights the urgent need to act to protect diamondback terrapins and also suggests that without action from regulatory entities like the Commission, ESA listing of the terrapin (along with restrictive federal protections that accompany listing, such as a prohibition on “take” of terrapins, 16 U.S.C. § 1538(a)) is likely.

¹ The public notice of the 90-day finding was published over two months later in the Federal Register. See 91 Fed. Reg. 43069 (Jul. 14, 2026) (“90-Day Findings for 10 Species”).

II. Virginia Is an Outlier and One of Very Few Jurisdictions to Do Nothing to Protect Diamondback Terrapins.

The Center’s legal research shows Virginia to be a significant outlier when it comes to protecting diamondback terrapins. Nearly every jurisdiction with the species’ range except for Virginia, the Potomac River Fisheries Commission, and Mississippi provide at least some form of protections for diamondback terrapins—either generally, through terrapins’ status as endangered or an otherwise specially protected species, or specifically by imposing restrictions on crabbing with crab pots. The chart below gives an overview of the United States legal landscape of diamondback terrapin protections:

Jurisdiction	Description of Protection	Legal Authority
Massachusetts	Prohibition on use of crab pots; prohibition on “take” of terrapin	322 Code Mass. Reg. 6.19(10); 321 Code Mass. Reg. 10.90
Rhode Island	Prohibition on use of crab pots; prohibition on “take” of terrapin	R.I. Gen. Laws 20-7-15; 250 R.I. Code R. 60-00-09.15
Connecticut	Prohibition on use of crab pots	Conn. Agencies Regs. 26-142a-8a(a)
New York	Bycatch reduction devices required on crab pots in nearly all waters	N.Y. Comp. Codes R. & Regs. Tit. 6, § 44.2(d)
New Jersey	Bycatch reduction devices required on crab pots in nearly all waters	N.J. Admin. Code § 7:25-14.6(c)
Delaware	Bycatch reduction devices required on all recreational crab pots	7-3000-3721 Del. Admin. Code
Maryland	Bycatch reduction devices required on all recreational crab pots; crab pot prohibition in shallow waters; prohibition on “take” of terrapin	Md. Code Regs. 08.02.03.07(B)(5); Md. Nat. Res. Code 4-902
Potomac River Fisheries Commission	N/A	
Virginia	N/A	
North Carolina	Prohibition on “take” of terrapin; bycatch reduction devices required in a few “management areas”	15A N.C. Admin Code 10I.0105(7)(e); N.C. Div. Marine Fisheries Proclamation PT-1 (Jan. 2021)

South Carolina	Prohibition on “take” of terrapin	S.C. Stat. 50-5-2300(A)
Georgia	Prohibition on “activities intended to harass, capture, kill, or otherwise directly cause death” of terrapin	Ga. Admin. Code 391-4-10-.09(3)(o)
Florida	Bycatch reduction devices required on all recreational crab pots	Fla. Admin. Code 68B-45.004(8)
Alabama	Prohibition on “take” of terrapin; prohibition on use of recreational and commercial crab pots in certain coastal waterways	Ala. Admin. Code r. 220-2-.92(1)(b); Ala. Admin. Code r. 220-3-.31(10)-(12)
Mississippi	N/A	
Louisiana	Prohibition on “take” of terrapin “by means of traps of any kind”	La. Rev. Stat. § 56:635(A)
Texas	Prohibition on “taking” terrapin	31 Tex. Admin. Code § 57.972(g)(10)

In short, many jurisdictions have already stepped up to provide at least some form of diamondback terrapins, including protections that stop death-by-crab-pot. Virginia, through the VMRC, needs to catch up, or it will increase the risk of federal intervention.

III. In Responding to the Center’s Petition in 2025, the Commission Committed to Studying Terrapin Habitats, At Minimum.

In 2025, the Center, Virginia Herpetological Society, Wild Virginia, and diamondback terrapin expert Dr. Willem M. Roosenburg petitioned the Commission to require bycatch reduction devices on all traps in nearshore waters, *See* Feb. 12, 2025, Petition to Protect Diamondback Terrapins (*Malaclemys Terrapin*) from Mortality in Blue Crab Pots by Requiring Bycatch Reduction Devices in Near-Shore Waters, *available at* <https://www.biologicaldiversity.org/programs/biodiversity/pdfs/VA-crab-bycatch-reduction-petition-02-12-2025.pdf>. In considering the petition, members of the Commission’s Crab Management Advisory Committee expressed concern with the proposed 150-yard distance from shore, reasoning that shoreline characteristics, rather than a uniform distance from shore, should determine where such requirements apply. *See* May 29, 2025, Crab Management Advisory Committee meeting (recommending denial of the petition). The Commission ultimately denied the petition but recognized the potential for conflict between nearshore traps and diamondback terrapins and directed staff to study terrapin habitat and the potential for bycatch in recreational fisheries. The Commission further directed that the resulting findings be presented to the Crab Management Advisory Committee for future consideration. To date, however, those findings have not been presented, and it remains unclear whether the directed studies have been completed.

The proposed “Diamondback Terrapin Mapping Project” therefore represents a concrete step toward carrying out the study the Commission has already directed. By identifying where crabbing activity overlaps with diamondback terrapin habitat, the project would provide the information necessary to evaluate the risk of terrapin bycatch and develop science-based, geographically targeted conservation measures. Having identified data gaps as a barrier to stronger protections and directed staff to address them, the Commission cannot now decline to fund the very research necessary to fill those gaps.

IV. The Commission Should Approve the Application for Funding Diamondback Terrapin Habitat Mapping (D. Bilkovic et al.)

In light of (a) the federal government recently acknowledging that diamondback terrapins are under such significant threat from crab pots that ESA listing may be warranted, (b) the Chesapeake Bay acting as a stronghold for the terrapin species, (c) the Commission committing to understanding terrapin habitat and where it overlaps with crabbing activity, and (d) Virginia being one of just three jurisdictions within the terrapin’s range to have done nothing yet to protect the species from crab pots, the Commission must act to protect terrapins from crab pot death traps. Approving a project to identify terrapin nesting habitat, terrapin presence, and hotspots of likely interactions between terrapins and crab pots is a needed first step.

The “Diamondback Terrapin Habitat Mapping” project is an appropriate use of the Marine Fishing Improvement Fund (“MFIF”). The General Assembly created the MFIF for, among other reasons, “managing and improving marine fisheries,” “seafood product promotion,” and implementing “conservation and management strategies identified by the General Assembly and the Commission.” Va. Code § 28.2-208. As explained above, mapping of terrapin habitat is a conservation strategy identified by—and, in fact, required by—the Commission. *See* June 24, 2025, Commission Meeting (denying immediate bycatch excluder requirements but voting to approve Commission review of terrapins and crab pots). Actions to protect terrapins from crab pots will also help with “seafood product promotion” by improving Virginia blue crab industry sustainability metrics, opening up access to consumers and markets that demand less bycatch. *See* Monterey Bay Seafood Watch Blue Crab, *available at* [seafood-watch-blue-crab-us-57.pdf](#) (recommending “Avoid” blue crabs from Virginia crab pot fishery). Accordingly, a decision not to fund the project would violate the Commission’s intent to initiate terrapin protections by better understanding turtles’ habitat and areas of likely interaction with crab pots. The Commission should approve and fully fund the application request.

The mapping project asks for minimal resources and imposes no burdens on the commercial or the recreational crabbing industry. If the Commission declines this basic request—to provide funding to study where terrapins live and nest within the Commonwealth—then it will be identifying itself as an unwilling regulator in the face of imminent and lasting harm to the species it is tasked to protect.

V. The Commission Should Approve the Application for Funding Targeted Crab Pot Removal in Important Terrapin Habitat (K. Havens et al.)

Each year, crabbers deploy an estimated 600,000 blue crab pots in the Chesapeake Bay, up to 20% of which may be lost due to storms, propeller strikes on buoy lines, vandalism, or abandonment. The Virginia Institute of Marine Science (“VIMS”) has identified three areas of special concern for diamondback terrapins because of the overlap between intensive crab fishing and important terrapin habitat: the Lower York River, Severn River, and Gwynn Island. *See* Center for Coastal Resources Management, “Diamondback Terrapin By-Catch Reduction Strategies for Commercial and Recreational Blue Crab Fisheries,” *available at* <https://www.vims.edu/ccrm/research/ecology/fauna/terrapin/>.

VIMS has separately modeled the persistence and effects of derelict crab pots in the Chesapeake Bay and identified areas where their removal could increase blue crab harvest. Notably, the three areas VIMS identified as areas of special concern for terrapins fall within areas where VIMS estimates that removal of derelict pots could increase blue crab harvest by 25 to 35%. *See* VIMS, *Derelict Crab Pots in Chesapeake Bay*, *available at* https://www.vims.edu/infographics/derelict_cb_report/ (finding that removal of derelict pots from heavily fished areas can produce significant economic benefits).

Targeting derelict pot removal in these and other important areas therefore provides a direct opportunity to reduce a known threat to diamondback terrapins while simultaneously improving the productivity of Virginia’s blue crab fishery. Funding this proposal would allow the Commission to direct limited conservation resources to locations where research indicates they can produce substantial and complementary ecological and economic benefits.

* * * *

On behalf of the Center for Biological Diversity, we urge the Commission to fund these two requests which will help the Commission make science-based decisions governing the conservation of the diamondback terrapin, and the productivity of the blue crab fishery.

Sincerely,

/s/ Daniel H. Waltz

Daniel H. Waltz

dwaltz@biologicaldiversity.org

/s/ Rachel Rilee

Rachel Rilee

rrilee@biologicaldiversity.org

CENTER FOR BIOLOGICAL DIVERSITY
1411 K Street NW, Suite 1300
Washington, DC 20005

Exhibit 1

90-DAY FINDING PETITION REVIEW FORM

LISTING AS A THREATENED OR AN ENDANGERED SPECIES

Federal Docket No. FWS-R5-ES-2025-0094

90-DAY FINDING ON A PETITION TO LIST THE DIAMONDBACK TERRAPIN UNDER THE U.S. ENDANGERED SPECIES ACT AS AN ENDANGERED OR THREATENED SPECIES AND TO CONCURRENTLY DESIGNATE CRITICAL HABITAT

Petitioned action being requested:

- ☒ List as an endangered or a threatened species

Petitioned entity:

- ☒ Species
☒ DPS of vertebrate

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) requires that we make a finding on whether a petition to list, delist, uplist (reclassify the species from a threatened species to an endangered species), or downlist (reclassify the species from an endangered species to a threatened species) a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. Our regulations provide that, for a petition to meet the “substantial scientific or commercial information” standard, we must determine in the 90-day petition finding that the petition includes “credible scientific or commercial information in support of the petition’s claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted” (50 CFR 424.14(h)(1)(i)).

The Act and our regulations are clear that the responsibility is squarely on the petitioner to present the requisite level of information to meet the substantial information test to demonstrate that the petitioned action may be warranted. This means that the petitioner must not only present credible information that threats may be present; they also need to present credible information concerning a species’ documented or likely response to that threat, and that the species’ response is to such a level that listing or uplisting may be warranted. Where the petitioner has failed to do so, we should make a not-substantial finding on the petition -- we should not augment their petition with our own knowledge or other information we are aware of. If we are aware of species that may be in danger of extinction, we should undertake a status review on our own accord, regardless of the receipt of a petition.

Our regulations further state that we will consider whether a petition presents a complete and balanced representation of the relevant facts when making our finding of whether a petition

presents substantial information that the requested action may be warranted. Thus, if we find that a petition cherry-picked information, ignored relevant and readily available information, and presented a biased and incomplete representation of facts, we should consider whether the petition has met the requirement to present substantial information.

We note that designating critical habitat is not a petitionable action under the Act. Petitions to designate critical habitat (for species without existing critical habitat) are reviewed under the Administrative Procedure Act and are not addressed here. See 50 CFR 424.14(j). To the maximum extent prudent and determinable, any proposed critical habitat will be addressed concurrently with a proposed rule to list a species, if applicable.

Petition History

On October 11, 2024, we received a petition from the Center for Biological Diversity, requesting that the diamondback terrapin be listed as a threatened species or an endangered species and critical habitat be designated for this species under the Act. The petitioner also requested that four populations of diamondback terrapin be listed as threatened or endangered distinct population segments (DPS). The petition clearly identified itself as such and included the requisite identification information for the petitioner, required at 50 CFR 424.14(c). This finding addresses the petition.

Evaluation of a Petition to List the Diamondback Terrapin as a Threatened or Endangered Species Under the Act

Species and Range

Does the petition present substantial information that the petitioned entity may be a listable entity (i.e., a species, subspecies, or distinct population segment)?

☒ Yes

☐ No

Diamondback terrapin (*Malaclemys terrapin*)

Historical range: Atlantic and Gulf coasts of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. Additionally, there is a small, isolated population on the island of Bermuda

Current Range: Atlantic and Gulf coasts of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. Additionally, there is a small, isolated population on the island of Bermuda

The diamondback terrapin is an estuarine turtle species found in brackish tidal marshes and estuaries. Diamondback terrapins are easily identified by the concentric diamond-shaped patterns on the scutes and speckled skin on the head and limbs. The diamondback terrapin is a recognized species by the Integrated Taxonomic Information System (www.itis.gov).

Statutory and Regulatory Standards for Evaluation of the Petition

Section 4 of the Act (16 U.S.C. 1533) and our regulations (50 CFR part 424) set forth the procedures for determining whether a species is an “endangered species” or a “threatened species.” The Act defines an endangered species as a species that is “in danger of extinction throughout all or a significant portion of its range,” and a “threatened species” as a species that is “likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” The Act requires that we determine whether any species is an “endangered species” or a “threatened species” because of any of the following factors:

- (A) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (B) Overutilization for commercial, recreational, scientific, or educational purposes;
- (C) Disease or predation;
- (D) The inadequacy of existing regulatory mechanisms; or
- (E) Other natural or manmade factors affecting its continued existence.

These factors represent broad categories of natural or human-caused actions or conditions that could have an effect on a species’ continued existence. In evaluating these actions and conditions, we look for those that may have a negative effect on individuals of the species, as well as other actions or conditions that may ameliorate any negative effects or may have positive effects.

In accordance with 50 CFR 424.14(d), the Service’s determination as to whether the petition provides substantial scientific or commercial information indicating that the petitioned action may be warranted will depend in part on the degree to which the petition includes the following types of information: (1) Information on current population status and trends and estimates of current population sizes and distributions, both in captivity and the wild, if available; (2) Identification of the factors under section 4(a)(1) of the Act that may affect the species and where these factors are acting upon the species; (3) Whether and to what extent any or all of the factors alone or in combination identified in section 4(a)(1) of the Act may cause the species to be an endangered species or threatened species (i.e., the species is currently in danger of extinction or is likely to become so within the foreseeable future), and, if so, how high in magnitude and how imminent the threats to the species and its habitat are; (4) Information on adequacy of regulatory protections and effectiveness of conservation activities by States as well as other parties, that have been initiated or that are ongoing, that may protect the species or its habitat; and (5) A complete, balanced representation of the relevant facts, including information that may contradict claims in the petition.

Evaluation of Information in the Petition

When evaluating a petition, we assess the information in the petition and the sources that it includes as references. While we may use any readily available information (e.g., in our files or published literature that we are aware of) to determine the credibility of the information presented in the petition, we do not use readily available information to bolster the petition, should the petitioner fail to provide substantial information, because the Act requires that we make a finding as to whether the petition itself presents substantial information indicating that the petitioned action may be warranted. Our implementing regulations at 50 CFR 424.14(h)(1)(i) state that conclusions drawn in the petition without the support of credible

scientific or commercial information will not be considered “substantial information.” “Credible scientific or commercial information” may include all types of data, such as peer-reviewed literature, gray literature, traditional ecological knowledge, etc. Thus, we first must determine whether the information provided in the petition is credible. In other words, the Service must evaluate whether the information in the petition is substantiated and not mere speculation or opinion. Any claims that are not supported by credible scientific or commercial information do not constitute substantial information and will not be further evaluated. Next, we determine whether the conclusions drawn in the petition are reasonable (i.e., actually supported by that credible information).

After identifying the claims that the petition supports with credible information, we consider those claims in the context of the factors in section 4(a)(1) of the Act. When evaluating information presented in the petition, we consider Factor D in light of the other factors, not independently. In other words, we consider whether the petition presents substantial information indicating that existing regulatory mechanisms may be inadequate to address the magnitude or imminence of threats identified in the petition related to the other four factors; therefore, we consider existing regulatory mechanisms in conjunction with each relevant claim presented in the petition.

To complete our analysis for a 90-day finding on a petition to list or uplist, we first identify the claims in the petition that are supported by credible information indicating that a potential threat is occurring or is likely to occur within the species’ range. After identifying the claims that are supported by credible information that a threat is occurring or likely to occur, we next determine whether the petition has presented credible information that those threats affect the species at a population or species level, after taking into account any mitigating actions or conditions that may ameliorate those threats, such that the petitioned action may be warranted. If we find that the petition does not present substantial information that the petitioned action may be warranted based on the information provided regarding the status and trends of the species or on one or more factors, we consider the cumulative impact of all of the threats that are supported by credible information.

After evaluating the petition and the credible information it provides in support of these claims, we make a finding based on the standard for 90-day findings, which is whether the petition presents “credible scientific or commercial information in support of the petition’s claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted.” Our evaluation assesses the extent to which the credible information in the petition indicates that a reasonable person would conclude that the petitioned action may be warranted.

Claims Addressing Threats

We first assess whether the petition supported its claims with credible information (i.e., whether the petition has presented credible information that the threat is occurring or is likely to occur and that the species may be exposed to the threat) (Table 1). If the supporting information indicates that the threat is occurring or is likely to occur in the future and that the species may be exposed to it, we then assess whether the petition presented credible information that reasonably indicates the presence of negative effects on the species as a whole.

If the petition did not present credible information indicating population-level effects, our analysis of that individual threat presented in the petition is complete, as there would be no species-level effects; we may then analyze that threat later if we need to evaluate cumulative effects. If the credible information about the particular threat indicates species-level effects, our analysis of that individual threat presented in the petition is complete. If the credible information about the particular threat does not indicate species-level effects but does indicate population-level effects, we assess the extent to which the credible information in the petition indicates that the scale of the effects of that threat are such that a reasonable person would conclude that listing or uplisting may be warranted.

If we find that there is credible information indicating that threats are having or are likely to have a negative effect on the species as a whole, such that a reasonable person would conclude that listing may be warranted, we can stop and make a positive “substantial information” finding. We would then evaluate all of the threats in detail based on the best scientific and commercial data available when we conduct the status assessment and make the 12-month finding. A positive 90-day petition finding does not indicate that the petitioned action is warranted. Such a finding indicates only that the petition presents substantial information that the petitioned action may be warranted and that a full review should occur.

TABLE 1: Evaluation of claims in the petition. Assessment of the credibility of scientific and commercial information in the petition and the extent to which claims supported by credible scientific or commercial information in the petition corroborates the presence of negative impacts to populations, or the species.

Threat or Activity	Exposure. Is the claim of the threat in the petition supported by credible scientific and commercial information? Does the petition support the claim that there is a potential threat and it is occurring or is likely to occur within the range of the species? If no, explain. If yes, include brief summary statement and citations to the credible information.	Response (Populations/Species). Do the claims and the supporting information indicate negative effects such that listing or uplisting may be warranted? Yes or no. Explain and describe below.
Drowning in Crab Pots (Factor E)	Yes. The petition presents credible information that drowning in active and abandoned crab pots is occurring within the species range and within locations where the species is likely to occur (Davis 1942, p. 17; Bishop 1983, pp. 427–429; Grosse et al. 2009, p. 98; Grosse et al. 2011, p. 765; Bilkovic et al. 2014 pp. 4–5). According to the petition, blue crabs (<i>Callinectes sapidus</i>) are found in every state with diamondback terrapin populations and the two species’ tidal marsh and estuarine habitats overlap. The use of crab pots began in 1939 (Davis 1942, p. 3) and they are now used by recreational and commercial crabbers in every state where the diamondback terrapin occurs except for Massachusetts, Rhode Island and Connecticut where according to the petition, they are prohibited. According to the petition, the threat from drowning in crab pots is most severe in the mid-Atlantic and southward where crabbing pressure is highest (National Oceanic and Atmospheric Administration 2022). Diamondback terrapins are attracted to baited and unbaited crab pots and like blue crabs, enter the pot’s funnel openings and become trapped (Bishop 1983, p. 427). If crab pots are not checked often enough (or	Yes. The petition claims that drowning in crab pots has led to long- or recently-extirpated diamondback terrapin populations and petitioners provided examples from Maryland, South Carolina, North Carolina, and Georgia (Roosenburg et al. 1997, pp. 1169–1170; Gibbons et al. 2001, p. 69; Hart and Crowder 2011, p. 271; Lovich et al. 2018, pp. 163–164). Diamondback terrapin populations are so small in some places that a single crab pot can reduce the population by 75 percent in a year (Lovich et al. 2018, p. 164). Researchers estimated that 91 percent of the terrapin biomass in one creek in coastal Georgia had been lost as a result of diamondback terrapins drowning in two abandoned crab pots (Grosse et al. 2009, p. 99). In Maryland, researchers estimated the capture rate of diamondback terrapins in crab pots was approximately 0.17 terrapins per crab pot per day, or approximately 2,161 captures of diamondback terrapins annually (Roosenburg et al. 1997, p. 1168). Depending on the rate of mortality in these crab pots, a population could be extirpated in 3–4 years from crab pots alone (Roosenburg et al. 1997, p. 1170). Diamondback terrapin populations with heavy crabbing pressure can become skewed over time towards large, mature females, with 60 years of commercial crabbing corresponding to a 15 percent increase in female carapace size (Wolak et al. 2010, p. 1274). Researchers

abandoned), as air-breathing animals, diamondback terrapins can drown (Grosse et al. 2011, p. 768). Juvenile and adult males and juvenile females appear to be at greatest risk of drowning in crab pots because they can easily fit through the crab pot openings (due to their smaller size) and because they tend to remain in shallow waters, making them highly susceptible to capture (Roosenburg et al. 1997, p. 1169; Roosenburg et al. 1999, 428). Diamondback terrapins are most susceptible to drowning during the warmer months of the year when their ectothermic metabolism is at its fastest, meaning they are unable to hold their breath for longer than a few hours (Roosenburg 2004, p. 28). Abandoned crab pots are regarded as an even greater conservation concern than actively fished pots (Grosse et al. 2009, entire). According to the petition, once loose, abandoned crab pots move through the ocean with tidal action and storm surges, often ending up washed into smaller tidal creeks where terrapins are likely to occur. In Virginia, Bilkovic et al. 2014 (p. 4) found that 45 percent of the 14,535 abandoned pots retrieved were in waters 2 meters deep or less. In Virginia, an estimated 50,000 to 100,000 new abandoned crab pots are added annually (Havens et al. 2008, p. 1199; Bilkovic et al. 2014, p. 6). In the Gulf of America, Guillory et al. 2001 (p. 3) estimated 250,000 abandoned crab pots are added annually, based on an annual trap loss/abandonment rate of 25 percent. Dead diamondback terrapins have been observed in abandoned crab pots in Virginia (Bilkovic et al. 2014 pp. 4–5). In South Carolina, Bishop 1983 (p. 429) reported an abandoned crab pot with 28 decaying diamondback terrapins. In Georgia, Grosse et al. 2009 (p. 98) reported 133 dead diamondback terrapins over	observed evidence that females were reaching mature size earlier than females in an area without crab pot fishing (Wolak et al. 2010, p. 1273). Faster growth and larger adult size often come with energetic trade-offs, such as reduced fecundity and delayed sexual maturity, which may further alter population dynamics (Wolak et al. 2010, p. 1275). No males that were older than 8 years of age were found, suggesting that crabbing pressure removed all males before they could reach 8 years old (Wolak et al. 2010, p. 1274). Similarly, at a site in North Carolina, researchers reported catching only females and posited that the nearby commercial blue crab fishery might be causing a population shift through incidental removal of juveniles and males (Wilson et al. 2022, p. 81). According to the petition, crab pots are banned in Massachusetts, Rhode Island, and Connecticut. Delaware and Maryland ban commercial crabbing in shallower waters where terrapins are likely to occur. Delaware, Maryland, and Florida require all recreationally-fished crab pots to use bycatch reduction devices (BRDs). BRDs are rigid metal or plastic rectangular or oval-shaped frames that are affixed to the funnel openings of crab pots to make the opening smaller, and therefore more difficult or impossible for non-target species (e.g., diamondback terrapins) to enter. According to the petition, studies consistently show lower rates of diamondback terrapin captures in crab pots with BRDs compared to crab pots with no BRDs (Hart and Crowder 2011, pp. 268–269; Chavez and Williard 2017, p. 98–99; Wilson et al. 2022, p. 80; Reinsel et al. 2023, p. 4). New Jersey, New York, and North Carolina require both recreational and commercial crabbers use BRDs in specific areas (e.g., within a certain distance of shore or within certain terrapin “hotspots”). In states which do require the use of BRDs on crab pots, compliance is difficult to monitor and enforcement is often low, particularly when it comes to recreational crabbers who set their crab pots in tidal creeks or hang them from private docks (Radzio et al. 2013, entire).
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	the course of 3 months in 2 abandoned crab pots. Also in Georgia, researchers found 153 dead diamondback terrapins in 5 crab pots across study sites, representing roughly 10 percent of the live individuals found in the area (Grosse et al. 2011, p. 765).	
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Cumulative Effects of Claims Supported by Credible Information

Because we have found that the petition presented substantial information that one or more threats are having an impact on the species to the point that the species' status may have changed, the petition presents substantial information indicating that the species may warrant listing. We do not need to assess cumulative effects at the 90-day finding stage because we will address cumulative effects of all threats in the 12-month finding.

Evaluation of Information Summary

We reviewed the information provided by the petitioner and determined the petition presents credible information to support impacts to the diamondback terrapin such that the species may warrant listing. The petitioner provided credible information indicating a potential threat to the diamondback terrapin from drowning in crab pots (Factor E). Note, the petitioner identified drowning in crab pots as Factor B: Overutilization for commercial, recreational, scientific, or educational purposes. Capture and subsequent drowning of diamondback terrapins in crab pots is incidental to an otherwise regulated activity (i.e., commercial and recreational crabbing); consequently, we determined this potential threat is more appropriately categorized as Factor E: Other natural or manmade factors affecting its continued existence. The petitioners also presented claims about habitat loss, invasive *Phragmites australis australis*, pollution, oil spills, road mortality, poaching, predation, and climate change as threats to the diamondback terrapin, which we will evaluate during our 12-month finding.

Petition Finding

We reviewed the petition, sources cited in the petition, and other readily available information (within the constraints of the Act and 50 CFR 424.14(h)(1)). We considered the credible information that the petition provided regarding effects of the threats that fall within factors under the Act's section 4(a)(1) as potentially ameliorated or exacerbated by any existing regulatory mechanisms or conservation efforts. Based on our review of the petition and readily available information regarding drowning in crab pots (Factor E), we find that the petition presents substantial scientific or commercial information indicating that listing the diamondback terrapin (*Malaclemys terrapin*) as a threatened or endangered species may be warranted. The petitioner also presented information suggesting habitat loss, invasive *Phragmites australis australis*, pollution, oil spills, road mortality, poaching, predation, and climate change may be threats to the diamondback terrapin. We will fully evaluate these potential threats and potential distinct population segments during our 12-month status review, pursuant to the Act's requirement to review the best scientific and commercial information available when making that finding.

FOR FURTHER INFORMATION CONTACT: Matt Hinderliter, Northeast Region, (601) 720-6531

Regional Outreach Contact: Bridget Macdonald, (413) 387-3183

Date:

Sharon Marino
Regional Director (Acting), Northeast Region,
U.S. Fish and Wildlife Service

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Specific Requests for Information

Information on diamondback terrapin for the purpose of determining if there are distinct vertebrate population segments (DPSs) in the Northeast Atlantic, Coastal Mid-Atlantic, Florida, and Texas-Louisiana.

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Meeting Minutes

Virginia Commercial Fishing Advisory Board Meeting
Virginia Marine Resources Commission
380 Fenwick Road, Ft. Monroe, VA 23651
Thursday September 17, 2026

Members in Attendance:

JJ Minor
Lynn Kellum
Revel Walker
Richard Harding
Ross Kellum
Benjamin Johnson
Nathan Reynolds (participating
remotely)

Staff Present:

Alicia Nelson
Adam Tomlin
Sheri Crocker
Lisa Pyle
Alexa Galván
Debbie Corker

Members Not in Attendance:

Jason Smith

Others Present:

Paul Bayer
Kirk Havens
Donna Bilkovic
Rachel Peabody
JC Hudgins
David Rudders
Nathan Everett
Will Harrington
Monica Scheneman

Meeting minutes were recorded by Alicia Nelson and Adam Tomlin. A recording of this meeting is available.

I. Introduction, Announcements, Comments

Alicia Nelson introduced the meeting and noted the meeting was recorded. She explained that three applications would be reviewed and shared the code sections relating to the CFAB and Marine Fishing Improvement Fund.

II. Review of the meeting minutes from the June 2026 meeting

JJ Minor asked if members had reviewed the minutes. A motion to approve the minutes was made by Lynn Kellum. The motion was seconded by Ben Johnson and passed unanimously.

III. Budget review

Sheri Crocker presented the financial report, noting that approximately \$1.3 million was available for projects.

IV. Applications for review

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- A. Virginia Beach Working Waterfront Revitalization Project, Paul Bayer, City of Virginia Beach Development Authority, \$25,000.

Paul Bayer (Virginia Beach Development Authority), Racheal Peabody (Virginia Marine Products Board), Will Harrington (Fisherman's Wharf Marina), and Nathan Everett (Still Kick'n Seafood) presented the proposal supporting a waterfront revitalization project at Rudee Inlet,

The application includes establishing seafood infrastructure at the site by leasing and revitalizing a portion of Fisherman's Wharf Marine to Still Kick'n Seafood and includes funding for commercial ice production, refrigerated storage, and seafood handling facilities. The project hopes to strengthen Virginia's seafood supply chain, reduce operating costs for producers, improve product quality, attract seafood buyers, and retain the economic value of Virginia-caught seafood within the Commonwealth.

They noted that the total project cost is \$106,000. The City of Virginia Beach Development Authority with support from the Marine Products Board is requesting \$25,000 toward the project, which will be matched by a \$25,000 commitment from The City of Virginia Beach Development Authority. The City of Virginia Beach Development Authority has also submitted an AFID Infrastructure Grant application requesting up to \$50,000. Mr. Harrington also noted that \$15,000 in electrical upgrades had also been made at the site to support the effort.

Mr. Kellum asked for clarification about the seafood handling mentioned in the application. Mr. Bayer said that the initial goal is to get the infrastructure in place and that there is hope that one of the commercial boxes can be used for local storage while there are hopes for additional capabilities in the future.

Mr. Everett noted that the goal was to aid the current fisheries for mackerel dogfish and shrimp. He also commented that a lot of work had already been completed for the zoning and building permit to get the project started. He also noted that currently, harvesters offload their truck into pickup trucks and that this new play would allow for icing and refrigeration to help improve the overall product.

Mr. Walker and Mr. Johnson asked questions about who would be allowed to purchase seafood at the site. The applicants noted that currently, the lease was for Still Kick'n Seafood but that the Marine Products Board would like to work with any business interested in obtaining an AFID grant. There was discussion about limiting this to individual business versus the total industry and comments that the seafood business has turned private versus having public working waterfronts.

There was clarification that the applicant (and payments from the agency) would be provided to the Virginia Beach Development Authority if approved.

JC Hudgins commented that the Virginia Watermen's Association fully supports funding the program noting that it was a first step in promoting working waterfronts in Virginia. Monica Sheneman echoed these comments that it was important to start somewhere to promote increases in the seafood opportunities.

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Ms. Nelson clarified that the comments in the original application requesting that this action be made retroactive were originally requested in order to align start dates with the AFID grant, but due to the current schedule, that request is now unnecessary.

Nathan Reynolds motioned to approve this project, and Revel Walker seconded the motion. Richard Harding asked for a friendly amendment to include a report about their progress in 6 months. The friendly amendment was accepted. The motion passed with 4 in favor, two opposed, and one abstention.

B. Diamondback Terrapin Habitat Mapping, Donna Bilkovic, William & Mary Batten School of Coastal & Marine Sciences, \$81,600.

Donna Bilkovic presented her proposal for updating and expanding the current 2015 terrapin occupancy model, stating that this project will deliver a practical map viewer to identify primary diamondback habitat areas which would help waterman better avoid bycatch. She noted that they will work with commercial watermen to share their knowledge of terrapin habitat areas and volunteers to map terrapin hotspots.

Mr. Reynolds noted that DWR has already maintained the maps and asked about the return to this phone and asked about verifying which pots were active compared to which were derelict. Ms. Bilkovic answered that the current effort was based solely on observations and was limited to certain areas. She said that once locations were better understood in relation to the march, that it could be expanded to the entire area. She also noted that the volunteers identify pots based on observations, not pulling pots.

Mr. Walker asked how this project would benefit the commercial fishery, and Ms. Bilkovic answered that it benefits you in that it identifies the terrapin hot spots to help with avoidance of interactions. She noted that most of the expected interactions were primarily in the recreational fishery and that it could be used to indicate there is no interaction where the commercial fishery is operating for example.

Mr. Harding asked if this could potentially lead to closing areas to potential harvest because of this. Ms. Bilkovic replied that she is not a regulator but that her understanding is that the focus is on recreational crabbing at this time. Mr. Harding noted that it could lead to more and Ms. Bilkovic noted that most of the interaction is happening in the recreational fishery so it makes the most sense to focus there.

Ms. Kellum asked why this project was being heard by CFAB and not split funded or heard by RFAB. Ms. Nelson noted that the application was send to this board and that management level questions would be handled by the management board and commission and noted that data described here would ultimately inform management decisions that would be important to both commercial and recreational fisheries.

Mr. Hudgins noted that he does not support this funding at this time. He mentioned a TED bill for funding, and did not feel that it was a proper use of the funding at this time. He noted that it was also on the agenda for the September CMAC meeting. He also noted that the terrapin population should be estimated in different ways than the current observations.

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Ms. Sheneman commented that she was concerned about this source of the fund for this project. She noted other funding sources and felt that this money should not come from this fund.

Mr. Kellum called for additional comments and Ms. Haynie asked staff if this could be split funded between the commercial and recreational advisory boards. Ms. Nelson replied that the recreational fishing advisory board had met earlier in the week and would not be able to meet again before the Commission meeting on Tuesday. She noted that both boards are advisory boards to the Commission and that the Commission makes final decisions on the funds.

Benjamin Johnson motioned that this be referred to RFAB, Mr. Harding seconded the motion. Mr. Minor asked for further discussion. The motion passed unanimously. Ms. Nelson clarified about the recommendations specifically for this item for the CFAB recommendation to the Commission on Tuesday. The board members noted that there was support from the project from a different funding source but that the recommendation from this fund was no.

C. Targeted Derelict Crab Pot Removal in Important Terrapin Habitat, Kirk Havens, William & Mary Batten School of Coastal & Marine Sciences, \$144,486.

Kirk Havens presented his project on derelict crab pot removal, explaining that the program involves training watermen, providing necessary equipment, and hiring them to locate and remove derelict pots. He noted that VIMS was part of a larger national program. He noted that this program would work with the previous proposal to target pot removal in terrapin hot spots.

Ms. Kellum asked about how the watermen were selected that worked with the program and wondered if it was a lottery. Dr. Havens noted that it was not a lottery, that they had a group of watermen that they have been working with that had approached them, but that there was also some criteria such as having appropriate licenses, being primarily watermen, and location.

Ms. Kellum asked if he would be open to having an application process for watermen who would like to participate and then having a lottery service for selection. Mr. Havens said that a lottery is problematic because there is a need in specific areas. Once they met all those other criteria there could be a selection process, but there generally aren't that many interested. He noted that with the current contractors they generally have watermen contact them about a certain area, but he said that if they had multiple people available in needed areas that there could be some sort of lottery but that experience was also important to consider as well.

Mr. Ross Kellum asked what happens to the sonar units after the program ends. Mr. Havens said that the units generally come back and they are occasionally loaned back out to watermen to help find lost pots. He said that generally, technology moves so quickly that new units are purchased every few years.

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Mr. Harding asked if this would be done throughout the whole bay, and Dr. Havens said that target locations would be determined by terrapin hot spots. He noted that it could be the whole bay, but it would be focused on the identified areas.

Mr. Walker asked about the full time requirement and Dr. Havens explained that they utilize full time watermen (versus hobbyists) and that their requirement was 15 days over the 3 month period.

Mr. Reynolds asked clarifying questions about the recovery program and if there would be observers on board (where VIMS staff was involved) to clarify benefits considering the terrapin populations and the existing ghost pot programs. Mr. Minor also described the budget listed in the CFAB application. Dr. Havens explained the benefits of removing derelict pots for the commercial harvesters because they continue to fish and clarified that terrapins continue to be listed as a species of concern in Virginia. There was discussion on zinc versus pvc coated pots. Mr. Havens noted that there were not observers, but that the contracted watermen used an application to track data.

Mr. Johnson asked about the facilities and personnel costs listed in the budget. He noted that there were several staff associated with the project for about a month of time each. They train the watermen and do the data assurance on the information and map maintenance. Ms. Nelson also explained that with this program we limit applicants to a 25% indirect cost rate.

Mr. Hudgins noted that he supports the removal of derelict crab pots but does not support the use of this fund for that purpose. He noted an 8 million dollar allotment for derelict crab pot removal. He noted that the watermen's association had not been contacted about the application process. Ms. Scheneman echoed Mr. Hudgins comments and also noted that it was difficult to find the application process online and thought that it should be more easily accessible to watermen. She made similar comments about previous funding for derelict pot programs. Dr. Havens explained that the \$8 million fund noted was a nationwide program. Portions of those funds go towards the Virginia efforts; however, that program ends this year. He noted that there are 10 watermen who have been contacted for that work. He said that watermen were welcome to call in to inquire about being included in the program. He noted that the funding requested here was for the following season after this program ends.

Ms. Haynie asked about funding this program from the recreational fund. Ms. Nelson clarified that this board can't make a recommendation to the Commission on expenditures from the recreational license fund.

Mr. Minor noted that he would like to see some sort of lottery system for selection.

Mr. Reynolds asked for the names of the 10 watermen contracted. Ms. Nelson commented that Dr. Havens can describe this information within his comfort. She suggested that we needed to be careful with personally identifying information. Kirk Havens offered to provide the chairman and Mr. Hudgins with the list of names as well as their working area.

Mr. Minor asked for recommendations. Mr. Walker motioned to approve the project. Lynn Kellum requested a friendly amendment to include a lottery to select harvesters. The

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motion was amended to recommend approving the project with the stipulation of using a lottery system or placing a bounty on pots. The motion failed for a lack of second.

There were no additional motions or action on this item.

V. Waterman's Internship Program Update

Due to the length of the meeting, this update was deferred until the next CFAB meeting.

VI. Additional Business

Ms. Nelson noted that the next board meeting would be virtual and is expected to be held in November or December of this year. The meeting ended at 12:46 pm.